

STATE OF WISCONSIN
 Department of Health Services
 Division of Long Term Care

DLTC Memo Series 2008-13/Action


Date: October 10, 2008

**Index Title: ELDER ABUSE DIRECT SERVICE
 FUNDS FOR CY 2009**

~~Supersedes 2007-23~~

To: Listserv

For: Area Administrators/Human Service Area Coordinators
 County Departments of Community Programs Directors
 County Departments of Human Services Directors
 County Departments of Social Services Directors
 County Elder Adults-at-Risk (Elder Abuse) Agency Contacts

From: Sinikka Santala 
 Administrator

Subject: Elder Abuse Direct Service Funds for Calendar Year 2009

Document Summary

This memo provides information on the availability of elder abuse direct service funding for CY 2009, clarifies that these funds are to be used for direct services to elder adults at risk age 60 and over, restricts use of elder abuse direct service funds to provide long term care services only up to six months duration per individual, prohibits cost-sharing of services provided through elder abuse funds, identifies performance expectations, alerts counties of their obligation to complete by March 1, 2010 a report on their annual elder abuse direct service expenditures as well as have entered all county reports of elder abuse into the Wisconsin Incident Tracking System for Elder Abuse and requests counties to respond to their area agency on aging by December 1, 2008 of their intent to secure their allocation.

Lead Elder Abuse Agency Formula Allocations

Counties will receive in 2009 the same funding level as they received in 2008. However, area agencies on aging are authorized to reallocate funding from counties that have under spent more than \$5000 in elder abuse direct service funds two years in a row (2006 and 2007). Redistribution of CY 2009 funds will be at the discretion of each area agency on aging, but may include awarding funds to counties in the region which express an interest in receiving additional funds. Therefore, any county (other than those counties that have a pattern of underspending), which is willing to accept an amount greater than the amount that is listed on Attachment A and has the capacity to expand elder abuse services beyond its allocation, should notify its area agency on aging of its willingness to accept additional funds when making its initial request. However, counties interested in requesting increased funding in CY 2009 must recognize that additional funds may not be available in CY 2010 if other counties expend their full allocation in CY 2009.

A county must notify its area agency on aging **NO LATER THAN DECEMBER 1, 2008** of its intent to secure its allocation to pay for elder abuse direct services delivered in its county for the period January 1-December 31, 2009. See Attachment B for the application form to be used when requesting funding. If a

lead elder abuse agency fails to notify its area agency on aging by December 1, 2008 it will be assumed that the agency is unable to use the funds. A county choosing to decline funds for CY 2009 will continue to be eligible for its full allocation in subsequent years, unless the county shows a pattern of underspending.

Elder Abuse Direct Service Dollars and the Community Options Program (COP)

Elder abuse funding is intended for short term needs to stabilize a situation and address immediate concerns. This funding is not intended to be used for supplementing long term care service dollars. Since the intent of the elder abuse direct service funds is *short term (i.e., less than six months)*, counties should use elder abuse direct services funds to provide long term care services only up to six months duration per individual. Once a county has elected to use elder abuse direct services funds for an individual's long term support needs, it should develop a plan for funding that individual with other funds after six months. This may include assisting the client or the guardian in pursuing enrollment in Family Care or waivers where applicable. Non-Family Care Long Term Support Committees should consider elder abuse victims when establishing county wait list policies.

Elder Abuse Funds and Cost-Sharing

It is recognized that counties have financial constraints and agencies have been challenged in meeting the needs of all clients requiring services. To address this concern, some counties have instituted cost-sharing policies for certain programs/services they provide. While cost-sharing may be appropriate in some areas it is not allowable to require cost-sharing in the provision of elder abuse direct services. Furthermore, a county may not charge for an investigation or response to an allegation of abuse, neglect or exploitation.

Use of Elder Abuse Funds for Adults at Risk (ages 18 to 59)

The state elder abuse appropriation [WI Stats. § 20.435 (7) (dh)] explicitly states under WI Stats. § 46.90 (5m) that the funds are to be used for direct services for elder adults at risk (age 60 and older). Therefore, the funds **cannot** be used for adults at risk less than sixty (60) years of age.

Performance Expectations

Best practice performance expectations for county elder abuse direct service funds will be included as part of the award. They are as follows:

- Ongoing operation of an Elder Abuse or Elder Adults/Adults-at-Risk Interdisciplinary Team (I-Team) throughout CY 2009.
- Submission to the Department of Health Services elder abuse reporting data for calendar year 2009 via the Wisconsin Incident Tracking System (WITS). To gain access to the reporting system, go to this web page <http://dhs.wisconsin.gov/aps/wits/index.htm> and follow directions provided.

How to Apply for Funds

The area agency on aging (AAA) will release funding to the county upon receipt of a brief plan (two-page maximum) from the county describing how it will demonstrate that the above two performance expectations will be met. The plan is to be submitted along with the budget application form (Attachment B) and therefore is due to the AAA on **December 1, 2008**. If unsatisfactory performance is identified, funding to counties that are not fulfilling performance expectations may be adjusted in CY 2010.

A list of allowable elder abuse direct service expenses is attached (see Attachment C). Staff costs, except for staff costs associated with the provision of direct services to an individual identified as a victim of abuse, neglect and/or exploitation and/or preventive services associated with an elder adult at risk of

abuse, neglect and/or exploitation, are NOT ALLOWABLE. Note when determining if services to address self-neglect are allowable under this funding source, the definition for self-neglect [WI Stats. § 46.90 (1) (g)], includes a threshold of **significant danger**, i.e., a significant danger to the elder **must** be present. Consistent with statutory language in Wis. Stats. § 46.90 (5m), administrative overhead and indirect costs ARE NOT ALLOWABLE activities under this funding source. Also, there is no provision to carry funds forward into CY 2010.

Reporting

By March 1, 2010 counties must complete the "Elder Abuse Direct Service Expenditures Reporting Form" [F-22568] and then send it to both BADR and the area agency on aging responsible for your elder abuse direct services county contract. For ease of completion, the form is available on the web at <http://dhs.wisconsin.gov/forms1/f2/f22568.pdf>. For a Word fillable form, go to <http://dhs.wisconsin.gov/forms1/f2/f22568.doc>.

Also by March 1, 2010 counties must submit to the Department of Health Services elder abuse reporting data for 2009 by using the web-based data system titled "Wisconsin Incident Tracking System." To gain access to the system, go to this web page <http://dhs.wisconsin.gov/aps/wits/index.htm> and follow directions as listed.

ACTION SUMMARY: Return Attachment B (along with your county's brief plan stating how you will meet performance expectations) to your area agency on aging by December 1, 2008. [See Attachment D for the mailing address of the area agency responsible for your county.]

REGIONAL OFFICE CONTACT: Area Agency on Aging (See Attachment D) or Human Services Area Coordinators, DES/Area Administration

CENTRAL OFFICE CONTACT: Jane A. Raymond
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MEMO WEB SITE: http://dhs.wisconsin.gov/dsl_info/NumberedMemos/DLTC/CY2008/index.htm

Attachments

- c County/Tribal Aging Unit Directors
- County Departments of Developmental Disabilities Directors
- Bureau Directors/Section Chiefs
- Tribal Chairpersons/Human Services Facilitators